

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1, 4-6, 9 and 11-15, 17-24, 26-36, 38-48 and 50-58 are pending in the application. By this amendment, claims 1, 9, 15, 19 and 21 are amended.

Applicant's representative would like to thank Examiner Heffington for the courtesies extended during the personal interview conducted on July 2, 2008. The personal interview was attended by Richard J. Kim, the undersigned. The substance of the personal interview is summarized below.

In numbered paragraph 4, pages 4-11 of the Office Action, claims 1-22 were rejected under 35 U.S.C. § 102, as being anticipated by Simpson, "Windows 95 Uncut," 1995, IDG Books Worldwide, pages 31, 32, 57, 115, 134, 137, 138, 139 and 246. In numbered paragraph 6, pages 11-17 of the Office Action, claims 23, 24, 26-36, 38-48 and 50-58 were rejected under 35 U.S.C. § 103, as being unpatentable over the Simpson publication in view of U.S. Patent 6,606,101 (Malamud et al.) and U.S. Patent 6,097,390 (Marks). These rejections are traversed.

Claims 1-22

As discussed during the interview, Applicant's representative discussed a hybrid wait cursor 220, or pointed wait cursor, to indicate the busy state of a background application (e.g., lines 1 and 2 of paragraph [0039]). There, Applicant's representative has discussed an exemplary hybrid wait cursor 220 which can be a visual combination of the normal, pointer cursor 200 and the standard wait cursor 210, as shown in Fig. 3C. For example, this hybrid wait cursor 220 is displayed while the cursor is located over windows of background applications that are busy (e.g., lines 4 through 11 of paragraph [0039]).

Applicant's representative further discussed that the user may be able to click on the window to bring it to the foreground. For example, if the background application is brought to the foreground while still busy, then the cursor changes to the standard wait cursor 210 shown in Fig. 3B (e.g., paragraph [0040]).

Applicant's independent claims 1, 9, 15, 19 and 21 are amended to clarify the above disclosed features. The Simpson publication would not have taught or suggested the features recited in Applicant's independent claims 1, 9, 15, 19 and 21.

Bridging pages 4 and 5 of the Office Action, the Examiner variously relies on page 138, specifically Fig. 7-3, of the Simpson publication to assert that "Simpson discloses a computer system, comprising:...and a user interface which controls the appearance of said cursor to display a first image when said cursor is positioned over a user interface element that can be immediately accessed by a user, a second image when said cursor is positioned over a window associated with a foreground application that is in a busy state that prevents it from being currently accessed, and a third image when said cursor is positioned over a user interface element associated with a background process that is in a busy state, wherein said first and second images are distinct from each other, and said third image is based on a visual combination of the first and second images." Applicant has traversed this assertion of record by arguing that the Simpson publication would not have taught or suggested "wherein said first and second images are distinct from each other, and said third image is based on a visual combination of the first and second images," as recited in claim 1.

Further, the Simpson publication would not have taught or suggested wherein the window has a first portion associated with said application and a second portion

associated with said user interface, wherein said second image is only displayed when said cursor is positioned over said first portion of the window, and wherein said third image changes to said second image when said user interface element associated with a background process that is in a busy state is brought to the foreground, as recited in claim 1; and as variously recited in claims 9, 15, 19 and 21. Rather, Fig. 7-3 of the Simpson publication that the Examiner relies on is merely demonstrative of a Pointer Tab of "Windows 95"™ Mouse Properties dialog box from which a user selects a pointer selection.

At least for these reasons claims 1, 9, 15, 19 and 21 are allowable. The remaining claims dependent from the respective independent claim, and as previously argued of record, recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. Withdrawal of the rejection is respectfully requested.

Claims 23, 24, 26-36, 38-48 and 50-58

During the personal interview, Applicant's representative further discussed an example of a hybrid cursor 220, which shows the tail portion of a normal cursor 200 replaced by the image associated with the busy state, which is exemplified in, e.g., Fig. 3C.

The foregoing features are broadly encompassed by independent claims 23, 35 and 47. For example, claim 23 recites, among other claimed features, at least two different images for a cursor, including a first image which comprises a pointer arrow having a tail, and a second image which comprises a hybrid consisting of a pointer arrow with a graphic in place of said tail, wherein said graphic represents a condition of a process,... wherein said condition is the dragging of an object, and

said displaying means switches said display upon initiation of a drag operation.

Claim 35 recites, among other claimed features, switching the representation of said cursor on said display to a second image which comprises a hybrid consisting of a pointer arrow with a graphic in place of said tail, wherein said graphic represents a condition of a process, ...wherein said condition is the dragging of an object, and said display of said cursor is switched upon initiation of a drag operation. Claim 47 recites, among other claimed features, switching the representation of said cursor on said display to a second image which comprises a hybrid consisting of a portion of the first image and a graphic, wherein said graphic represents a condition of a process, upon detecting that said cursor is associated with a user interface object that corresponds with said condition, wherein said condition is the dragging of an object, and said display of said cursor is switched upon initiation of a drag operation.

As discussed during the personal interview, the Examiner appears to rely on the illustration of various combinations of an arrow with either a question mark or an hour glass shown next to the arrow, but they do not appear to teach or suggest, among other claimed features, a hybrid consisting of a pointer arrow with a graphic in place of said tail, wherein said graphic represents a condition of a process, as recited in claims 23 and 35. Claim 47 similarly recites, among other claimed features, a hybrid consisting of a portion of the first image and a graphic, wherein said graphic represents a condition of a process.

The Malamud et al. patent does not cure the deficiencies of the Simpson publication. Rather, the Malamud et al. patent was applied by the Examiner for its disclosure of a series of images in Fig. 2T showing the use of information pointers in drag and drop operations (col. 12, lines 65-67). The Malamud et al. patent teaches

that when overlying a folder icon, an information box 46C containing a message appears (col. 13, lines 7-10). However, this and other disclosures of the Malamud et al. patent would not have taught or suggested at least, among other features argued of record, a hybrid consisting of a pointer arrow with a graphic in place of said tail, wherein said graphic represents a condition of a process, as recited in claims 23 and 35. Claim 47 similarly recites, among other claimed features, a hybrid consisting of a portion of the first image and a graphic, wherein said graphic represents a condition of a process.

On page 12 of the Office Action, the Examiner asserts that the Marks patent discloses "that a visual pointer can take different shapes to indicate operations such as drag and drop." Applicant respectfully disagrees with the Examiner's ultimate conclusion.

The Marks patent does not cure the deficiencies of the Simpson publication and the Malamud et al. patent. Rather, the Marks patent was applied by the Examiner for its disclosure of a visual pointer in the form of an arrowhead, crosshairs, a vertical line, or a hand (e.g., col. 1, lines 39-44). However, the Marks patent, alone or in combination with the Simpson publication and the Malamud et al. patent, would not have taught or suggested, among other features argued of record, a hybrid consisting of a pointer arrow with a graphic in place of said tail, wherein said graphic represents a condition of a process, as recited in claims 23 and 35. Claim 47 similarly recites, among other claimed features, a hybrid consisting of a portion of the first image and a graphic, wherein said graphic represents a condition of a process.

At least for these reasons claims 23, 35 and 47 are allowable. The remaining claims depend from the respective independent claim, and as previously argued of record, recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. Withdrawal of the rejections is respectfully requested.

Conclusion

For the foregoing reasons, Applicant's claims 1, 4-6, 9 and 11-15, 17-24, 26-36, 38-48 and 50-58 are allowable. As such, the present application is in condition for allowance.

Reconsideration and withdrawal of the rejections, and allowance of all pending claims is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:


Richard J. Kim
Registration No. 48360

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620